

REMARKS

The Applicants wish to thank Examiner Chung for his telephone call. The following response is for clarification of the step of *"wherein the playlist is based on preferences set by the program provider without the need to receive preferences from a user"* as recited in the response filed on June 2, 2003. The present invention, unlike the prior art of record, does not rely on user preferences to be sent to the program provider over a back channel or other telecommunications connection. In the present invention the program provider sets the demographics. Support for this amendment of *"wherein the playlist is based on a user's demographics including zip code, set by the program provider"* can be found at:

1. page 6, lines 5-8 *"group addressing - the process of sending out an identical play-list to one or more clients based on the demographics of the members of the group, such as age, gender, income, zip code, weather, or other factors an advertiser or program provider would use to group audiences."*
2. page 9, lines 19-21 *"The providers of content can sell content based on any useful marketing criteria such as geography, gender, age, zip code, political affiliations, number of children, marital status and other demographic information including interests."*
3. page 7, lines 23-25 *"A programming distributor will generally obtain information from its customers that is of great use to advertising people."*
4. page 11, lines 19-25 *"Companies 30 with products to sell have a relationship with advertising agencies 31. The advertising agencies and the companies 30 select the best "advertising venues," in this model, the best demographics, neighborhoods, and individual households to which the advertising should be targeted. The agencies 31 have a business arrangement with cable companies 32 which have as subscribers those households selected."*

In view of the foregoing, Applicants respectfully submit that all of the grounds for rejection stated in the Examiner's telephone call have been overcome, and that all claims in the application are allowable. It is believed that the application is now in condition for allowance, which allowance is respectfully requested.

PLEASE CALL the undersigned if that would expedite the prosecution of this application.

Respectfully submitted.

Dated: August 13, 2003

By:



Jon Gibbons (Reg. No. 37,133)
Attorney for Applicants
Fleit, Kain, Gibbons, Gutman & Bongini P.L.
One Boca Commerce Center, Suite 111
551 N.W. 77th Street
Boca Raton, FL 33487
Tel. (561) 989-9811
Fax (561) 989-9812

PLEASE Direct All Correspondence to Customer Number 23334.

RECEIVED

AUG 14 2003

Technology Center 2600